

Application Type Renewal
Facility Type IW
Major / Minor Major

NPDES PERMIT FACT SHEET ADDENDUM

Application No. PA0002666
APS ID 552978
Authorization ID 1012228

Applicant and Facility Information

Applicant Name <u>Sonneborn, Inc.</u>	Facility Name <u>Sonneborn</u>
Applicant Address <u>100 Sonneborn Lane</u> <u>Petrolia, PA 16050</u>	Facility Address <u>100 Sonneborn Lane</u> <u>Petrolia, PA 16050</u>
Applicant Contact <u>Richard E. Fleeger</u>	Facility Contact _____
Applicant Phone <u>(724) 756-9300</u>	Facility Phone _____
Client ID <u>240973</u>	Site ID <u>2755</u>
SIC Code <u>2999</u>	Municipality <u>Fairview Township</u>
SIC Description <u>Manufacturing - Petroleum And Coal Products, Nec</u>	County <u>Butler</u>
Date Published in PA Bulletin <u>October 18, 2014</u>	EPA Waived? <u>No</u>
Comment Period End Date <u>November 17, 2014</u>	If No, Reason <u>Major Facility</u>
Purpose of Application <u>Application for a renewal of an NPDES permit for existing discharges of industrial wastewater and stormwater</u>	

Internal Review and Recommendations

EPA Region III submitted comments on the draft permit as part of a limited review on November 10, 2014. A copy of the comments can be found in Attachment B of the Fact Sheet. Below is a summary of the comments and DEP's responses.

- 1) Comment: EPA commented that total iron and total aluminum concentration limits should be included in the permit since they have assigned Waste Load Allocations (WLA) expressed as both mass and concentration limits in the finalized South Branch Bear Creek TMDL, dated 4/09/2007.

Response: A review of the final TMDL document that was approved by EPA, does express Wasteload Allocations in mass and concentration limits for aluminum, total iron, and total manganese (Table 5-1 on Page 5-2 of the Final Report). At Outfall 010, although the load and concentration limits for Manganese were included in the draft, only loading limits were included for Total Iron and Total Aluminum. DEP's new Standard Operating Procedures for NPDES Permitting, and both federal and state regulations, require that all TMDL limitations be included in NPDES Permits. Therefore, the final permit will be revised to also include concentration limits for total iron and total aluminum, expressed as both short and long term limits.

- 2) Comment: EPA requested that DEP provide any additional information that was used to support renewal of the 316(a) thermal variance. EPA specifically cites 40 CFR §125.72(a) and (b), and points out the state agency must require applicants to provide as much information in a 316(a) renewal as necessary to demonstrate the continued protection and propagation of the waterbody's Balanced Indigenous Population (BIP) of shellfish, fish and wildlife.

Response: Although Sonneborn's last NPDES renewal was issued in 2009, the effluent limits resulting from an approved 316(a) variance demonstration were not ultimately incorporated into the permit until March 2012, as it took several years to complete the study. Their NPDES renewal application was due in January 2014, and was to include any information that DEP deemed necessary to justify renewal of the 316(a) thermal variance. The applicant did

Approve	Return	Deny	Signatures	Date
X			Adam J. Pesek, E.I.T. / Environmental Engineering Specialist	
X			David G. Balog, P.E. / Environmental Engineer Manager	
X			John A. Holden, P.E. / Program Manager	

Internal Review and Recommendations

Response (con't):

contact the DEP regional office prior to renewal application submittal, to inquire what information was needed. The regional office in Meadville in turn contacted HQ staff in Harrisburg, who are responsible for 316(a) study reviews (Heidi Biggs, Biologist), for their recommendation. Note that 40 CFR §125.72(C) states, "*Any application for the renewal of a section 316(a) variance shall include only such information described in paragraphs (a) and (b) of this section as the Director requests within 60 days after receipt of the permit application.*" This regulation therefore allows DEP (acting on behalf of the Director) to determine what information is needed to renew a 316(a) thermal variance.

As such, the information DEP HQ staff deemed necessary to be submitted is contained in a September 19, 2013 email, found in Attachment A of the original fact sheet. As the 316(a) variance- derived effluent limits were only in effect for less than 2 years at that point, HQ staff did not believe additional biological studies were warranted yet. However, HQ staff recommended Sonneborn provide information related to their current production capacity, process, etc. to ensure nothing appreciable had changed with their operations.

Sonneborn did provide the requested information with their January 2014 NPDES renewal application, as instructed. DEP reviewed that information, and concluded nothing appreciable had changed in terms of Sonneborn's operations or production levels, so their treated effluent quality should be similar to the conditions in the 2012 variance study.

The regional office biologist involved with Sonneborn's original 316(a) variance study, commented that he did not expect conditions to change in S. Branch Bear Creek in the relatively short timeframe the 316(a) limits have been in effect. This is largely due to the stream being devoid of almost any aquatic life, well before the 316(a) variance was granted. Due to anthropogenic impacts, such as urban runoff, AMD discharges, past industrial waste disposal practices, etc. the S. Branch Bear Creek watershed remains impaired.

Although DEP recommends renewal of the 316(a) variance at this time, the same Part C condition will be included in this NPDES renewal that instructs the applicant to contact DEP, to determine what 316(a) renewal information must be provided with their next NPDES renewal application. DEP HQ 316(a) staff has stated that some kind of biological studies will likely be required at that time, to ensure the BIP species continue to be protected. The exact specifications of those studies can be determined in the future.

No other comments were received on the draft permit. DEP does not believe a re-drafting of the permit is necessary, due to the inclusion of the total iron and aluminum concentration limits. Rather, an amplified public notice of this change will be included in the *Pa. Bulletin*, accompanying the notice of final permit issuance.

EPA has no further comment on the response to their comments (above) and changes to the final permit (see 11/25/2014 email in Attachment B). The permittee had no additional comments on the proposed changes to the draft permit discussed above (See 12/02/2014 email in Attachment B).